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**REMARKS**

Claims 1-24 are now pending in the application. Claims 1, 3, 12, 13 and 22 have been amended herein. Claims 23-24 have been added. Favorable reconsideration of the application, as amended, is respectfully requested.

**I. ALLOWABLE SUBJECT MATTER**

Applicants acknowledge with appreciation the noted allowability of claim 17. Claim 17 will be in condition for allowance upon being amended to independent form.

**II. REJECTION OF CLAIMS 12 AND 22 UNDER 35 USC §112, 2<sup>nd</sup> ¶**

Claims 12 and 22 stand rejected under 35 USC §112, second paragraph, as being indefinite. Withdrawal of the rejection is respectfully requested for at least the following reasons.

Regarding claim 12, the Examiner objects to the use of the trademark "Teflon", the broad/narrow construction of the claim, and the use of term "preferably". Regarding the construction of claim 12, the Examiner notes that the claim is broad in the sense that it refers to the first and/or the second and/or the third air distribution batten "are made of plastic material" and then more narrow by referring to such plastic material as preferably "PVC, POM or Teflon".

In response, applicants have amended claim 12 to refer to the first, second and/or third air distribution batten as being made of plastic materials. New claim 23, dependent from claim 12, specifies that the plastic material is at least one of PVC, POM

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or Teflon (polytetrafluoroethylene).

Regarding use of the term "Teflon" in original claim 12, applicants now refer instead to the generic name, i.e., "polytetrafluoroethylene" in claim 23. Regarding use of the "preferably", applicants have omitted such term by the addition of dependent claim 23 as noted above.

Regarding claim 22, applicants have amended claim 22 to refer to the first and/or second suction channel being made of metal. Applicants have added new dependent claim 24, dependent from claim 22, wherein the metal is specified as an "alloy steel". This eliminates use of the term preferably as objected to by the Examiner.

In view of the above changes, applicants respectfully submit that claims 12 and 22 are definite. Withdrawal of the rejection is respectfully requested.

### **III. REJECTION OF CLAIMS 1-16 AND 18-22 UNDER 35 USC §102(e)**

Claims 1-16 and 18-22 stand rejected under 35 USC §102(e) based on *Ainsworth et al.* Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claims 1 and 13 have been amended to incorporate in part feature of original claim 3. Specifically, claims 1 and 13 now recite that the first air distribution batten comprises several batten subsections. Moreover, each of the batten subsections can be activated independently of the other batten subsections.

In rejecting original claim 3, the Examiner points out that *Ainsworth et al.* discloses an air distribution batten consisting of subsections (blow-off air plenum 100 positioned along the slopes sides 102,104 of the plate 26) through which air can be blown out

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independently of the others. (Citing Figs. 6A and 6B; and Col. 9, Ins. 52-61).

Applicants note, however, if one equates the blow-off air plenum 100 with the air distribution batten recited in original claim 3 as suggested by the Examiner, one does not find a corresponding air distribution subsection of the blow-off air plenum 100 in *Ainsworth et al.* Similarly, if the Examiner associates the blow-off air plenum 100 with the air distribution batten recited in amended claims 1 and 13, there is no corresponding air distribution subsection of the blow-off air plenum 100 in *Ainsworth et al.* Consequently, *Ainsworth et al.* does not teach or suggest an air distribution batten which includes several batten subsections, each of the batten subsections being activated independently of the other batten subsections, as recited in amended claims 1 and 13.

The present invention is exemplified in Figs. 4 and 5 of the application. The air distribution batten 9 comprises several subsections B1 to B10, which can be operated independently. Thus, each subsection B1 to B10 can be fed separately with air and therefore, each subsection B1 to B10 can be switched on and off independently from each other subsection of the air distribution batten. For that, in the embodiment of Fig. 4 each subsection is connected to a valve 25.1 to 25.10. With that, in the invention the booth floor can be blown off in sections. (See, e.g., Spec. p. 14, Ins. 24\*\*).

For at least the above reasons, withdrawal of the rejection of claims 1, 13, and the claims dependent therefrom, is respectfully requested.

#### **IV. REJECTION OF CLAIMS 1-15 AND 20-22 UNDER 35 USC §103(a)**

Claims 1-15 and 20-22 stand rejected under 35 USC §103(a) based on Reiss in view of *Ainsworth et al.* or *Fischli et al.* Withdrawal of this rejection is respectfully requested for at least the following reasons.

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In addressing original claim 3, the Examiner indicates that *Reiss* teaches an air distribution batten provided with nozzles (fluid plate 24 with holes arranged in groups) consists of subsections (citing sections of the plate on opposite sides of the floor along the longitudinal axis or length of the floor). The Examiner further indicates that air can be blown out through the nozzles independently of the others (referring to Fig. 2).

Applicants note that *Reiss* merely teaches that a fluid plate 24 is located on the booth floor and operated by compressed air. The fluid plate 24 generates a floating paint-powder particle stream in the direction of the orifice 25 of the suction-extraction device. *Reiss* does not teach or suggest in any manner that batten subsections can be activated independently of other batten subsections as previously recited in original claim 3.

Thus, to the extent the Examiner argues that *Reiss* teaches batten subsections represented by opposite sides of the fluid plate 24 along the length of the floor, the Examiner has not shown that the respective batten subsections can be activated independently of the other batten subsections as recited in amended claims 1 and 13. Applicants respectfully submit that there is no such teaching in *Reiss*.

Accordingly, the Examiner has not set forth even a *prima facie* basis for the obviousness rejection of claim 3, as it now applies to claims 1 and 13. Moreover, neither *Reiss* nor the secondary references of *Ainsworth et al.* or *Fischli et al.* teach or suggest the features of original claim 3, now incorporated into amended claims 1 and 13.

Consequently, applicants respectfully request withdrawal of the rejection of claims 1, 13, and the claims dependent therefrom.

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## V. CONCLUSION

Accordingly, all claims 1-24 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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